

BEFORE THE UNITED STATES PATENTS AND TRADEMARKS OFFICE

Inventor: Stephen Fitzgerald et al
Serial No: 10/672,060
Filed: 29 September 2003
Title: TUBULAR BASEBALL BATS WITH VARIABLE STIFFNESS
BARRELS
Confirm. No.: 4727
Art Unit: 3711
Our File: CECOM-04.US (2043-3-04-10)

December 21, 2007

Mail Stop Amendment
The Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Out of an abundance of caution we are resubmitting the Information Disclosure Statement by Applicant filed under 37 CFR1.98 setting out a U.S. Publication Appln. 2002/0094892 published 07/18/2002 – Chauvin for this filing previously submitted earlier today.

In accordance with 37 CFR 1.07(g), the filing of this document is not to be construed as meaning that a search has been made or that no other material relevant under 37 CFR 1.56(g) exists. Neither does this filing constitute an admission that these references are relevant ‘prior art’ to the present invention as per 37 CFR 1.97(d).

If the Examiner decides not to accept this Information Disclosure Statement, the applicant requests to be so informed.

Please be advised that the official fees of \$180 have already been submitted and deducted from our Deposit Account via an earlier submission today. Any fee deficiencies may be deducted from Deposit Account 503035.

Respectfully submitted,

Stephen Fitzgerald et al

Per:

David J. French
Reg. No. 31229

Miltons LLP
Suite 700 – 225 Metcalfe Street
Ottawa, Canada K2P 1P9
Telephone: 613-567-7824 x230 Fax: 613-567-4689